

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

STEVEN DICKERSON, ROBERT  
HESTER, NANCY ROBERTS,  
KATIE EVANS MOSS and  
RICHARD SANCHEZ, on behalf of  
themselves and all others similarly  
situated,

Plaintiffs,

v.

YORK INTERNATIONAL  
CORPORATION and JOHNSON  
CONTROLS INC.,

Defendants.

Case. 1:15-CV-01105-CCC

**DECLARATION OF TROY WALITSKY ON BEHALF OF  
ANGEION GROUP, LLC, SETTLEMENT ADMINISTRATOR**

I, Troy Walitsky, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am a Project Manager at Angeion Group, LLC (“Angeion”), a class action notice and settlement administration firm that was appointed by the Court as the Settlement Administrator in the above-captioned matter. I am fully familiar with the facts contained herein based upon my personal knowledge.

2. Angeion is a leading class action notice and settlement administration company formed by a team of executives and professionals who have, throughout their careers, overseen over 2,000 class action settlements and distributed over \$10

billion to class members. The executive profiles as well as the company overview are available at [http://www.angeiongroup.com/meet\\_the\\_team.htm](http://www.angeiongroup.com/meet_the_team.htm).

3. Angeion was retained as the Notice Administrator and appointed by the Court pursuant to the Court's Order filed on March 15, 2017. *See* Dkt. No. 91.

4. Angeion is not related to or affiliated with any of the attorneys comprising Class Counsel or counsel for Defendants.

5. This Declaration provides the Parties and the Court with a detailed status report regarding the Notice Plan set forth in the Amended Settlement Agreement (the "Settlement"), filed on March 8, 2017, and the Court's Order preliminarily approving the Settlement, filed on March 15, 2017.

### **Distribution of CAFA Notice**

6. On March 17, 2017, as required by 28 U.S.C. § 1715(b), Angeion caused the requisite notice regarding the Settlement to be sent to the Attorneys General of all states and territories, as well as the Attorney General of the United States ("CAFA Notice"). The mailings included the items set forth in the CAFA Notice. The CAFA Notice was in the same form as Exhibit A attached hereto.

### **The Notice Plan**

#### **Mailed Notice**

7. Between April 20, 2017 and April 24, 2017, Angeion caused 893,620 Notices (which included the Notice of Class Action Settlement and the Claim Form),

to be mailed via U.S. first class mail to the names and addresses of potential Class Members provided by Defendants. Prior to mailing, the address records were run through the U.S. Post Office (“USPS”) National Change of Address Database (“NCOA”). The NCOA database provides updated addresses for all individuals who have moved during the previous four years and filed a change of address with the USPS. A copy of the Notice of Class Action Settlement and Claim Form is attached hereto as Exhibit B.

8. After the initial mailing described in the preceding paragraph, Angeion received and processed Notices returned as undeliverable by the USPS. Angeion forwarded Notices to updated addresses provided by the USPS and performed address verification searches (commonly referred to as “skip tracing”) where Notices were returned without a forwarding address. As of August 1, 2017, a total of 61,772 Notices were forwarded or re-mailed to updated addresses identified via the USPS or via skip tracing.

#### **Email Notice**

9. On April 21, 2017, Angeion caused 122,850 Notices to be sent via email to the email addresses provided by Defendants from their records. The email Notice contained the same information as the Summary Notice and contained links to the Settlement Website, the online claim filing, and the Notice of Class Action Settlement. A copy of the email Notice is attached hereto as Exhibit C.

### **Publication Notice**

10. On April 17, 2017, Angeion caused the Summary Notice to be published in Sports Illustrated. On April 24, 2017, Angeion caused the Summary Notice to be published in People Magazine. A copy of the Summary Notice used for the publications is attached hereto as Exhibit D.

### **Internet Banner Ads**

11. On April 21, 2017, Angeion caused the internet banner notice program to commence. The banner notice ran for four (4) consecutive weeks and ultimately consisted of a total of approximately 92,248,348 impressions. The banner notices contained a link to the Settlement Website. Live screenshots of the banner ads are attached hereto as Exhibit E.

### **Press Release**

12. On April 21, 2017, Angeion caused a press release regarding the Settlement to be published via PR Newswire. The language used in the press release was mutually agreed upon by the Parties prior to publication. A copy of the text used for the press release is attached hereto as Exhibit F.

### **Response Mechanisms**

13. On December 20, 2016, Angeion established the following website devoted to this Settlement: [www.jccoppercoilsettlement.com](http://www.jccoppercoilsettlement.com) (the “Settlement Website”). The Settlement Website was established pursuant to the timeline set forth

in the Court's Order filed on November 22, 2016. Following the filing of the Amended Settlement Agreement on March 8, 2017, and the Court's Preliminary Approval Order filed on March 15, 2017, Angeion updated the Settlement Website with language agreed upon by the Parties after they met and conferred.

14. The Settlement Website contains general information about the Settlement, Court documents, and a downloadable Notice of Class Action Settlement and Claim Form. The Settlement Website also contains a Contact Us link whereby Class Members can send an email to a dedicated email address established for this Settlement: [Questions@jccoppercoilsettlement.com](mailto:Questions@jccoppercoilsettlement.com). Class Members can also submit their Claim Forms online via the Settlement Website. Through August 1, 2017, there have been approximately 447,591 page views of the Settlement Website.

15. On December 21, 2016, Angeion established the following toll-free hotline devoted to this Settlement: 1-855-510-2035. Similar to the Settlement Website, following the filing of the Amended Settlement Agreement on March 8, 2017, and the Court's Preliminary Approval Order filed on March 15, 2017, Angeion updated the toll-free hotline with agreed upon language by the Parties.

16. The toll-free hotline utilizes an interactive voice response ("IVR") system to provide Class Members with responses to frequently asked questions and inform Class Members of important dates and deadlines pertaining to the Settlement. The toll-free hotline is accessible 24 hours a day, 7 days a week. Class Members also

have the ability to leave a message requesting a Claim Form and/or Notice of Class Action Settlement. Through August 1, 2017, the toll-free hotline has received approximately 15,020 calls totaling 56,857 minutes, and has received 419 messages requesting Claim Forms and/or Notices.

17. Through August 1, 2017, Angeion has received and responded to, where appropriate, over 2,270 emails regarding this Settlement. Upon request by Class members, Angeion has also mailed 436 Notices and/or Claim Forms.

### **Claim Form Submissions**

18. As of August 1, 2017, Angeion has received 10,920 Claim Form submissions (with more received each week). Angeion will continue to report the number of Claim Form submissions to the Parties on a regular basis.

### **Exclusions**

19. The deadline for Class members to request exclusion from the Settlement was June 23, 2017. As of August 1, 2017, Angeion has received 166 timely-submitted requests for exclusion and two (2) late-submitted requests for exclusion (for a total of 168 opt-outs). Angeion shall inform the Parties of any additional requests for exclusion received. Attached hereto as Exhibit G are the names of the individuals who have requested exclusion from the Settlement, as well as the corresponding exclusion requests received.

## **Objections**

20. The deadline to object to the Settlement was June 23, 2017. As of August 1, 2017, Angeion has received eleven (11) timely-submitted objections and one (1) late-submitted objections (for a total of 12 objections). Angeion has provided the Parties with copies of the objections received and shall inform the Parties of any additional objections received. Attached hereto as Exhibit H are the objections received.

Dated: August 2, 2017

  
TROY WALITSKY